

Testimony of
Joey Allcorn
Professional Singer, Songwriter, Small Business Owner
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United States House of Representatives
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Good morning Chairwoman Velazquez, Congressman Chabot, and members of the Committee. I am Joey Allcorn of Columbus, Georgia. Thank you for inviting me to talk about the importance of Internet radio to my career and my small business – as a professional songwriter, recording artist and performer.

As I will explain, Internet radio is one of the greatest opportunities for 21st century recording artists. It helps fans find new music, helps artists find new fans, leads to new and unexpected performance and touring opportunities, and pays royalties. What a great combination.

But if the Copyright Royalty Board royalties are implemented and webcasters go silent permanently – as they did yesterday for their Day of Silence demonstration – then all these benefits will be lost. Higher royalty rates from fewer webcasters will benefit only a few big artists, just as broadcast radio benefits a few but leaves most artists high and dry.

But let me backtrack and tell you a little bit about me, and my music.

As the title track of last album says, I was probably born fifty years too late. I've been playing music for what seems like every day of my life, and when I discovered Hank Williams Sr., my music changed forever. All those old stories of heartbreak, heaven, hell and American history got into my blood and I started writing songs. These aren't

“mainstream country” songs like you hear on FM radio. My songs pay tribute to what I call “classic country” – Hank Williams, Johnny Cash, Ernest Tubbs and Waylon Jennings – and even Muddy Waters. I tell stories with steel guitars and fiddles, with a good hillbilly twang and a yodel or two.

I do okay for a young guy playing old time country. I make a living, enjoy some success, and have a good and growing following. I’ve shared a stage with some of the masters – with members of Hank Williams’ Drifting Cowboys, Ernest Tubbs’ Texas Troubadours, and Waylon Jennings’ Waymore Blues Band. Hank III (Hank Williams’ grandson) and Lonesome Wyatt even sang on one of my records. That was pretty cool.

None of my success comes from mainstream radio, or happens in Nashville where the major record labels live. My business begins with my guitar and a local recording studio, and it grows and thrives on the Internet. Traditional, terrestrial radio promotion was never in my business plan because that kind of radio doesn’t play my kind of country music – until Internet radio changed my business and expanded my opportunities a thousandfold.

Joey Allcorn and the Hillbilly Band has found a home on Internet radio. When we made the Ram Radio (<http://www.ramradio.net>) Top 10 list, people told me “I heard you on the Internet and bought your album”. That changed my world. It’s incredibly easy to buy music with Internet radio - all the stations have “buy” buttons that connect listeners to Amazon.com, iTunes, CD Baby or the station’s own virtual store, so I’ve been able to sell a lot of albums.

Compare this to the frustration of broadcast radio. We played a concert in my hometown a while back and the local radio station interviewed me, but they were not allowed to play my music because it didn’t fit their format. That’s messed up. It is ironic that Internet radio is helping to make my career, and it is one of the best places for me and my fans to discover one another, but these royalties might shut this opportunity right down.

Even beyond radio, the Internet is a huge opportunity for independent artists. It has decentralized the music industry so that all artists have a shot. I don’t need a major

record label or major radio support to make music, find an audience, distribute my music and earn a decent living. Instead I can go direct to music fans or they can find me, using Internet radio, MySpace or just a simple Yahoo! search for classic country music.

And that's okay for the major labels because they would never sign us anyway; my band doesn't sell enough albums to pay their electric bills. But with low barriers to entry for Internet radio and MySpace, I can build my audience one listener at a time, one city at a time, with the music I love. In a way, I guess you could call Internet radio the greatest grassroots music movement ever.

All this opportunity makes these drastic new royalty rates even more bizarre to me. Here's a new radio outlet that has broken the industry open for independent artists and our small labels. It pays royalties to artists who don't get paid on broadcast radio, and is the only radio medium with a "buy" button next to the song title. Yet, three judges from somewhere I've never heard of decided to raise webcasters' royalty rates so they will go out of business. And if that happens, my career – my small business – will be hurt badly.

I've heard that SoundExchange, on behalf of its artist members, is claiming that this royalty fight is about big webcasters ripping off artists. This is really unfair, and I don't understand it. Artists benefit equally from small and large webcasters. In fact, the Roots Music Association, a group I belong to that seeks to advance genre-based music like ours, actually wrote in to BusinessWeek when they read about this (see Attachment A). Of course the new royalties will kill small webcasters first, they wrote. But then one by one it will take out the bigger webcasters or force them to cut costs by cutting small genre programmers, and I'll be back to emailing songs and begging for audiences with major labels and radio station program directors. If that happens, the opportunities lost for independent artists will be painfully real. In fact, I just met a guy last week whose band was heard on Pandora by one music director, and the following week he was playing before 15,000 people at a huge music festival. Now I'm not sure how big Pandora is among webcasters, but any band would take that kind of promotion whether it came from being heard on Live365, WOXY right here with me today, or AOL Radio.

I do not mean to confuse you today. I'm an artist. I like getting paid and I like royalty payments. But if the only radio that plays my music goes bankrupt, they won't be playing my music or paying me royalties. If the magic words of "I heard you on the Internet and bought your music" disappear, then SoundExchange will still be around to collect big money from big webcasters to pay big labels, but I may lose my career. And the country legends I try to keep alive, may be lost with me. There may be a 15 year old like me out there right now with a passion for the old greats, but if he can't hear them, that passion may never be realized. He won't find those great American stories told with steel guitars and fiddles on regular broadcast radio. That history is gone. But listening to me here today I hope you now know that classic country music is still alive, in large part because of Internet radio.

I'll stop here. I think you get the point. But finally, please understand that this isn't about greed, or pointing fingers or some big radio or big label conspiracy. The beauty of Internet radio is that it supports so many artists and genres, many of them whom corporate radio and major labels would never be interested in anyway. I believe that all forms of radio can, and should coexist – Internet radio, satellite radio, cable radio, broadcast radio and whatever's next that still hasn't been invented. I hope you agree, and that you cosponsor the Internet Radio Equality Act and help keep Internet radio alive.

Thank you.